

**McDermott
Will & Emery****RECEIVED
CENTRAL FAX CENTER****OCT 19 2005**Boston Brussels Chicago Düsseldorf London Los Angeles Miami Milan
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.

Certification of Facsimile Transmission
I hereby certify that this paper is being facsimiled
in accordance with the Patent and Trademark Office
on the date shown below.
Ramyar Farid
Type or print name of person signing certification
10/19/05
Date

FACSIMILE**Date:** October 19, 2005**Time Sent:**

| | | | |
|---------------------------------|---------------------------------------|--|----------------------|
| To: | Company: | Facsimile No: | Telephone No: |
| Examiner Christian D. Wilson | U.S. Patent and Trademark Office | 571-273-8300 | |
| From: | Ramyar M. Farid | Direct Phone: | 202.756.8146 |
| E-Mail: | rfarid@mwe.com | Direct Fax: | 202.756.8087 |
| Sent By: | Matilda Newman | Direct Phone: | 202-756-8661 |
| Client/Matter/Tkpr: | 63979-036/5328 | Original to Follow by Mail: | No |
| | | Number of Pages, Including Cover: | 17 |
| Re: | Application No.: 10/716,621 | | |
| | Attorney Docket No.: 63979-036 | | |

Message:

This Amendment is being filed in response to the Office Action dated July 19, 2005.

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL MATILDA NEWMAN AT 202-756-8661 AS SOON AS POSSIBLE.

Main Facsimile: 202.756.8087 Facsimile Operator: 202.756.8080

U.S. practice conducted through McDermott Will & Emery LLP.
600 Thirteenth Street, N.W. Washington, D.C. 20005-3096

Telephone: 202.756.8000

Docket No.: 063979-0036

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED
CENTRAL FAX CENTER****OCT 19 2005**

In re Application of : Customer Number: 20277
 MORIMOTO, KIYOSHI, et al. : Confirmation Number: 6335
 Application No.: 10/716,621 : Group Art Unit: 2891
 Filed: November 20, 2003 : Examiner: Christian D. Wilson

For: NON-VOLATILE MEMORY AND FABRICATION METHOD THEREOF

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application.

- ☒ No additional fee is required.
☐ Applicant is entitled to small entity status under 37 CFR 1.27
☐ Also attached:

The fee has been calculated as shown below:

| | NO. OF CLAIMS | HIGHEST PREVIOUSLY PAID FOR | EXTRA CLAIMS | RATE | FEE |
|---|------------------|-----------------------------------|-----------------|------------|--------|
| Total Claims | 26 | 28 | 0 | \$50.00 = | \$0.00 |
| Independent Claims | 3 | 3 | 0 | \$200.00 = | \$0.00 |
| Multiple dependent claims newly presented | | | | | \$0.00 |
| Fee for extension of time | | | | | \$0.00 |
| | | | | | \$0.00 |
| Total of Above Calculations | | | | | \$0.00 |

- ☐ Please charge my Deposit Account No. 500417 in the amount of \$0.00.
☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Ramyar M. Farid
 Ramyar M. Farid
 Registration No. 46,692

600 13th Street, N.W.
 Washington, DC 20005-3096
 Phone: 202.756.8000 RMF:men
 Facsimile: 202.756.8087
 Date: October 19, 2005

Please recognize our Customer No. 20277 as our
 correspondence address.

WDC99 1149998-1.063979.0036

BEST AVAILABLE COPY

Docket No.: 063979-0036

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | |
|---|---|-------------------------------|
| In re Application of | : | Customer Number: 20277 |
| Kiyoshi MORIMOTO, et al. | : | Confirmation Number: 6335 |
| Application No.: 10/716,621 | : | Group Art Unit: 2891 |
| Filed: November 20, 2003 | : | Examiner: Christian D. Wilson |
| For: NON-VOLATILE MEMORY AND FABRICATION METHOD THEREOF | : | |

**RECEIVED
CENTRAL FAX CENTER****AMENDMENT****OCT 19 2005**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 19, 2005, having a three-month shortened statutory period for response set to expire on October 19, 2005, reconsideration of the above-identified application is respectfully requested in view of the following amendment and remarks.

WDC99 1128542-1.063979.0036